



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

JRE
Docket No: 7272-00
18 December 2000

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 November 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 25 October 1998, and served until 8 December 1998, when you were discharged because of your failure to meet procurement medical fitness standards because of non-cardiac chest pain.

The Board noted that there is no indication in your naval record that you received a waiver of your chest pain condition in order to enlist. In addition, it noted that although you disclosed one episode of chest pain in the Report of Medical History you completed prior to enlisting, you belatedly disclosed a two year history of multiple episodes which occurred approximately twice per week, and resulted in loss of consciousness on at least one occasion. The latter information indicates that you did not meet the minimum physical standards for enlistment, and that you would not have been permitted to reenlist had you been truthful with recruiting officials. As a result of your fraud, you wasted valuable government resources. You remain disqualified for enlistment at this time because of your extensive history of chest pain, even though you claim you no longer suffer from that condition.

In view of the foregoing, the Board was unable to recommend any corrective action in your case. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director